

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
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ATTORNEY DOCKET NO. 10030468

MAY 31 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Karen W. Shannon

Serial No.: 10/686,092

Examiner: Pablo S. Whaley

Filing Date: October 14, 2003

Group Art Unit: 1631

Title: METHODS FOR IDENTIFYING SUITABLE NUCLEIC ACID NORMALIZATION PROBE  
SEQUENCES FOR USE IN NUCLEIC ACID ARRAYS

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☒ No additional fee (Address envelope to "Mail Stop Amendments")  
☐ Other: (Fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X 50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 380	\$ 0
EXTENSION FEE	1 <sup>ST</sup> MONTH 120.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 450.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 1020.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1590.00 <input type="checkbox"/>		\$ 0
					OTHER FEES	\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Karen W. Shannon

By

Bret E. Field for John Brady  
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 05-31-2006

Telephone No. (408) 553-3584

I hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below:

Date of facsimile: 05-31-2006

Typed Name: Donna Macedo

Signature: 

**RECEIVED**  
**CENTRAL FAX CENTER****MAY 31 2006**

<b>VIA FACSIMILE</b>		
<b>571 273 8300</b>		
<b>RESPONSE TO RESTRICTION REQUIREMENT</b>  Address to: Commissioner for Patents P.O. Box 1450 Arlington VA 22313-1450	Attorney Docket Confirmation No.	10030468-1 6820
	First Named Inventor	Karen W. Shannon
	Application Number	10/686,092
	Filing Date	October 14, 2003
	Group Art Unit	1631
	Examiner Name	Pablo S. Whaley
	Title	Methods for Identifying Suitable Nucleic Acid Normalization Probe Sequences for Use In Nucleic Acid Arrays

Dear Sir:

This communication is responsive to the office communication dated May 8, 2006.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group I, i.e., Claims 1-16;

Group II, i.e., Claims 17-20;

Group III, i.e., Claim 21;

Group IV, i.e., Claims 22-24; or

Group V, i.e., Claim 25

for further prosecution in this application.

The Applicants hereby elect Group I with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of Groups II-V with the elected claims of Group I for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that: